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SUBJECT: MEDIA FRENZY OVER SUSPECT SHOT BY SECURITY OFFICERS

11. (SBU) SUMMARY: On May 13 at approximately 2300 hours, John Kalafatis, a suspected criminal, was shot and killed in Gaborone, allegedly by military intelligence officers. Though government spokespersons say that Kalafatis was killed during an exchange of gunfire while resisting a legitimate arrest, lawyers for the victim's family raise serious questions about the incident, including why military officers rather than ordinary police were involved and how/why Kalafatis was allegedly shot at close range. Botswana's sensational and fairly irresponsible media are in full frenzy over the case, and their work has been made easier by the Khama administration's poor handling of the press. END SUMMARY.

Suspect Killed in Shoot-Out May 13

12. (SBU) Though questions remain about the death of John Kalafatis, it is clear that he died of gunshot wounds on May 13 in Gaborone around 2300 hours. According to the initial police report on the incident (copy obtained by RSO) Botswana Defense Force (BDF) military intelligence officers approached a vehicle parked outside of a Gaborone bar and ordered the three men inside to step out. Two of the men complied, while the third (Kalafatis) refused to come out. The police report then says that "suddenly an exchange of gunfire erupted" and Kalafatis was "caught by bullets and sustained multiple gunshot wounds." Kalafatis was reportedly transported to Princess Marina hospital in Gaborone and pronounced dead in the early hours of May 14.

13. (SBU) The Kalafatis family engaged local human rights lawyers Dick Bayford and Duma Boko to investigate the shooting. The attorneys have made numerous statements to local press, calling Kalafatis's death a "murder" and alleging that he was unarmed man "executed" by Botswana's security forces. (Note: In addition to his work as a human rights lawyer, Dick Bayford is actively involved in politics and is a supporter of the opposition Botswana Congress Party. Government sources allege that Bayford's politics color his portrayal of government in this case. End Note.) In addition, the victim's family engaged a private pathologist from South Africa to perform an independent autopsy on the body. Bayford and Boko told the media June 1 that the pathologist's report concludes that Kalafatis had been struck by at least 10 bullets, and that any one of the wounds could have killed him. The attorneys also announced that the pathologist believes that at least one of the bullets was shot at close range (approximately 15 cm). The Government of Botswana has held at least two press conferences on the shooting, but has declined to give many details about the incident pending the completion of investigations. The consistent government explanation of the Kalafatis incident is that government security officers shot a dangerous criminal suspect while attempting to apprehend him. Once ongoing investigations are complete, the government will be able to discuss more fully the circumstances of the shooting. A police spokesman said on June 5 that the inquest on Kalafatis should be completed by the end of June.

Who Was John Kalafatis?

14. (U) Despite initial press accounts which painted Kalafatis as a beloved family member and victim of government brutality, an article in the local daily "Mmegi" newspaper on June 8 seems to confirm the government's stated position that Kalafatis was a hardened criminal (or in South African slang a "tsotsi") and was wanted by police on numerous charges at the time of his death. According to Mmegi, 32-year old John Kalafatis has a long and varied criminal record dating back to at least 1995. He has been convicted of drug possession, assault, armed robbery, vehicle theft, and unlawful weapons possession. He served several jail sentences and, in 1999, escaped from prison, was captured, and re-jailed. The newspaper report also cites police sources as saying that Kalafatis was "extremely slippery" and known to use disguises to evade capture, including growing a long beard and pretending to be a Muslim cleric. (Note: Kalafatis is an olive-skinned citizen of Botswana and his family is Orthodox Christian, not Muslim. End Note.) At the time of his death, police were allegedly tracking Kalafatis in connection with a series of attacks on ATM machines using explosives. At least three ATM locations in Botswana were attacked this way between July 2008 and April 2009.

Botswana Media Frenzy: Khama Accused of "Ordering a Hit"

15. (U) Initial media reports on the shooting alleged that Kalafatis was suspected of burglarizing a farm belonging to President Khama's sister. The May 17 edition of the "Sunday Standard" newspaper went so far as to describe the President riding on a motorbike to rush to his sister's house after the alleged robbery and plotting with GOB security officials to "find and punish" those responsible. The Standard also alleged that President Khama personally ordered a "hit" on John Kalafatis as retribution for this robbery. Government spokesmen of course deny this story, and contend that there was

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never even a robbery of the President's sister's home, let alone any order by the President for retribution. The President's personal attorney has filed a defamation lawsuit asking for damages of 850,000 pula (USD 121,400) against the Sunday Standard after they refused to retract the story and apologize. Meanwhile, attorneys Bayford and Bomo (the same men representing the Kalafatis family) announced June 7 that they will file a countersuit against President Khama on behalf of the Standard. The countersuit will "challenge the legitimacy of Khama's presidency," according to the Standard. The local private media has had a contentious relationship with the Khama administration for many months. The Botswana media strenuously object to the Media Bill passed in 2008, which they allege strengthens government control over the press. Government also inflamed press animosity by holding a press conference on the Kalafatis matter on May 19 and barring reporters from private media houses from attending. After considerable criticism for this move, the government held a subsequent press conference May 26, at which all reporters were welcome.

GOB lacks PR Savvy, Media Sensational and Irresponsible

16. (SBU) COMMENT: It is unfortunate that the Kalafatis case seems to have taken on a life of its own in Botswana's sensational media environment. Too often, the newspapers here uncritically report rumors and innuendo, and many stories about the Kalafatis case are so wild as to seem impossible. In addition to claiming Khama personally ordered Kalafatis' death, the papers have recently made poorly substantiated allegations about "foreign mercenaries" used by Botswana's intelligence service and they have reported on random citizens who claim to have been "tortured" by police for no apparent reason. The newspapers appear to print all allegations against the government, no matter how far-fetched, and require no documentation or confirmation of facts.

17. (SBU) The irresponsible media has however been given grist for the mill by the Khama government, whose relationship with the local press has been prickly for months. In addition to the storm over the government-only press conference, the media had a field day with a May 18 statement by Vice President Mompoti Meraphe that "one or two shootings could not dent the country's reputation on rule of law." Though widely reported as callous and indicative of the "authoritarian" bent of this government, Meraphe's statement was

simply poorly spun and reflects a lack of media savvy by government.

In full context, Merafhe's statement is entirely harmless. He notes that "such incidents (shootings) are to be avoided, but that when faced with danger, security forces are obliged to respond to force with force."

18. (SBU) Post looks forward to hearing more about the circumstances surrounding the death of John Kalafatis when the inquest and other internal investigations are completed later this month. Clearly Kalafatis was a hardened criminal, a "tsotsi", who was wanted on serious charges, but there is still considerable public shock over the nature of his death. It will be important for the GOB to give a full and credible account of what happened the evening of May 13 in order to repair the damage done by these serious allegations. Any explanation by government must address some troubling questions about the Kalafatis shooting, especially why military intelligence officers (and not ordinary police) were attempting to arrest him, and why he was allegedly shot at least once at close range. Post will continue to follow this case with great interest and report subsequent developments. END COMMENT.

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